IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 24338 of 2004

Between:

1. S.Swarupa Rani, d/o Sudarshanam, Hindu, aged 26 years,
Lecturer in Telugu, Govt. Junior College, Nagulavancha,

Khammam District.
2. I.V.Narayana, s/o Pullaiah, Hindu, aged 28 years,
Lecturer in Maths, Govt.Junior College, Wazeedu,

Khammam District.

..... PETITIONERS

AND

1. The Government Junior College, Nagulavancha,

Khammam District, rep., by its Principal.
2. The Government Junior college, Wazeedu,

Khammam District, rep., by its Principal.
3. The Director of Intermediate Education,

Govt. of A.P., Nampalli, Hyderabad.
4. The Government of A.P., rep., by its Secretary,

Department of Higher Education, Secretariat, Hyderabad.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents 1 and 2 in not continuing the petitioners as

Telugu and Maths Lecturers respectively as per the agreement made between the petitioners and respondents as illegal, arbitrary and in violation of principles of natural justice and consequently direct the respondents 1 and 2 to continue the petitioners as Telugu and Maths Lecturers respectively till the end of agreement period i.e., 28-2-2005.

Counsel for the Petitioner: MR.S.ABHAYA KUMAR SAGAR

Counsel for the Respondents: GP FOR HIGHER EDUCATION

The Court at the stage of admission made the following:

ORDER:

For not continuing the petitioners as lecturers as per the agreement made between the petitioners and respondents, the present writ petition is filed.

2. The facts are not in dispute. The petitioners were appointed by the respondents 1 and 2 as per the proceedings of the third respondent vide No.Rc.RD.Ser.112/2138/2003 dated 03.9.2004 on contract basis. The validity of the contract period is up to 28.02.2005, and since then the writ petitioners have been discharging their duties. Contrary to the terms of the contract of agreement, the writ petitioners were orally instructed not to attend the classes from 18.12.2004. The act of the respondents in terminating the services of the petitioners orally is contrary to the terms of contract of agreement, which was in force till 28.02.2005.

3. Therefore, the writ petition is allowed, directing the respondents to continue the petitioners as per agreement till 28.02.2005. No order as to costs.

K.C.BHANU,J

Date: 27th December 2004.

Note:

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Issue wire at party's costs.

// B.O.//

BSB

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Principal, Government Junior College, Nagulavancha,

Khammam District.
2. The Principal,Government Junior college, Wazeedu,

Khammam District,
3. The Director of Intermediate Education,

Govt. of A.P., Nampalli, Hyderabad.
4. The Secretary,Government of A.P.,

Department of Higher Education, Secretariat, Hyderabad.

5.Two CCs to the Government Pleader for Higher Education, High

Court Buildings, Hyderabad (OUT).

6.Two CD copies